



Planning Commission Agenda

Wednesday, April 5, 2023

6:30 PM

City Council Chambers

Members of the public who wish speak during public comment or an agenda item during this meeting can do so virtually by registering at www.cityofroseville.com/attendmeeting

(Times are Approximate – please note that items may be earlier or later than listed on the agenda)

- 1. Call to Order**
- 2. Roll Call**
- 3. Approval of Agenda**
- 4. Review of Minutes**
 - a. Review February 1, 2023 Minutes.
- 5. Communications and Recognitions**
 - a. Update on City Council action on phase two Zoning Code updates
- 6. Public Hearing**
- 7. Business**
 - a. Annual Organizational Business
- 8. Adjourn**


REQUEST FOR COMMISSION ACTION

Date: **4/5/2023**
Item No.: **4.a.**

Department Approval

Agenda Section
Review of Minutes

Item Description: Review February 1, 2023 Minutes

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

Application Information

N/A

Background

N/A

Staff Recommendation

N/A

Requested Planning Commission Action

Review February 1, 2023 minutes and make a motion to approve subject to requested corrections.

Alternative Actions

N/A

Prepared by:

Attachments: 1. February 1, 2023 Minutes



**Planning Commission Regular Meeting
City Council Chambers, 2660 Civic Center Drive
Draft Minutes – Wednesday, February 1, 2023 – 6:30 p.m.**

- 1 **1. Call to Order**
2 Chair Kimble called to order the regular meeting of the Planning Commission meeting at
3 approximately 6:30 p.m. and reviewed the role and purpose of the Planning Commission.
4
- 5 **2. Roll Call**
6 At the request of Chair Kimble, City Planner Thomas Paschke called the Roll.
7
- 8 **Members Present:** Chair Julie Kimble, Vice Chair Michelle Pribyl, and
9 Commissioners Michelle Kruzel, Tammy McGehee, Karen
10 Schaffhausen, Pamela Aspnes and Erik Bjorum.
11
- 12 **Members Absent:** None.
13
- 14 **Staff Present:** City Planner Thomas Paschke, and Community Development
15 Director Janice Gundlach.
16
- 17 **3. Approve Agenda**
18
- 19 **MOTION**
20 **Member Pribyl moved, seconded by Member Kruzel, to approve the agenda as**
21 **presented.**
22
- 23 **Ayes: 7**
24 **Nays: 0**
25 **Motion carried.**
26
- 27 **4. Review of Minutes**
28
- 29 **a. January 4, 2023 Planning Commission Regular Meeting**
30
- 31 **MOTION**
32 **Member Pribyl moved, seconded by Member Bjorum, to approve the January 4,**
33 **2023 meeting minutes.**
34
- 35 **Ayes: 7**
36 **Nays: 0**
37 **Motion carried.**
38
- 39 **5. Communications and Recognitions:**
40

41 a. **From the Public:** *Public comment pertaining to general land use issues not on this*
42 *agenda, including the 2040 Comprehensive Plan Update.*

43
44 None.

45
46 b. **From the Commission or Staff:** *Information about assorted business not already on*
47 *this agenda, including a brief update on the 2040 Comprehensive Plan Update*
48 *process.*

49
50 None.

51
52 **6. Continued Business**

53
54 a. **Continuation to Consider a Request by AUNI Holdings in Coordination with**
55 **FedEx for a Conditional Use to Allow a Parking Lot as a Principal Use at 2373**
56 **and 2395 County Road C2 (PF22-015)**

57
58 Chair Kimble opened the public hearing for PF22-015 at approximately 6:34 p.m. and
59 reported on the purpose and process of a public hearing. She advised this item will be
60 before the City Council on February 27, 2023.

61 City Planner Paschke summarized the request as detailed in the staff report dated
62 February 1, 2023.

63 Member Pribyl explained a couple of things the Commission talked about last time were
64 increasing the setbacks on the north and west, which she understood has been done and
65 also a consideration of how far employees need to walk to get to the other parcel and it
66 seems like unless there is a grading reason or preservation of trees that the parking could
67 not be moved further east, there might be an opportunity to do that. In her notes from the
68 property owner last time, she thought that the need was for 160 to 180 parking spaces for
69 employees, and this greatly exceeds that, so she did not know if that was 160 to 180 at
70 one time and this is accounting for shift changes or why there are over 240 parking
71 spaces.

72 Mr. Paschke stated some of these questions are better answered by the applicant. He
73 further indicated his recollection regarding the previous discussion during the meeting
74 was FedEx needing around two hundred or more parking spaces for employees. He
75 further clarified the previous plan did not account for employee only as it was incorrect in
76 its inclusion of van parking, thus the reason the item was tabled; this is the current plan
77 being forwarded to the Planning Commission for consideration.

78 Member Aspnes noticed that this went from fifty-three vans and 135 employee spots to
79 243 employee spots. She also thought that now the parcel to the east is now included in
80 this plan but is not referenced in the application but from the diagram that is shown it
81 looks like this parking lot is going to be in that parcel and then the walkway is going to
82 go across it. She wondered if all three of these parcel are going to be combined.

83 Mr. Paschke stated all three parcels were included in the initial proposal, with the
84 proposed storm water ponds on the eastern parcel. He also indicated the applicant still

85 needs to address whether the parcels will be combined or platted as there are side yard
86 setback requirements between the three lots.

87 Member Aspnes indicated the walkway is an incredibly steep change in elevation from
88 the parking lot to the FedEx lot on the east. She wondered if that will be handicap
89 accessible.

90 Mr. Paschke was uncertain, however stated the discussion last time around, even though
91 it is shown in the current proposal, was that all the handicap parking was going to be
92 available at grade next to the building. He further indicated he is not sure if the walkway
93 is handicap accessible but assumed if the applicant is providing handicap spaces and
94 individuals using these stalls need to get to the building, that the sidewalk will have to be
95 handicap accessible in order to meet Federal Law.

96 Member Aspnes asked if by law, the parking lot has to have handicap parking.

97 Mr. Paschke explained that if it is tied to the business and the business can prove
98 adequate handicap parking, handicap parking might not be required within this parking
99 lot; this is typically worked out through the permitting process and how the project would
100 be reviewed against those Codes and Ordinances as well as whether or not the sidewalk
101 or a different route is handicap accessible in order to meet the law.

102 Member Aspnes indicated the three lots sit very high and she wondered if this will be the
103 elevation for this parking lot. She wondered if the elevation will be brought up or down
104 to make the parking lot level because right now it would not be.

105 Mr. Paschke explained staff does not know the specifics regarding the lots grading,
106 however he assumed the applicant will need to remove and/or reshape the property to a
107 point where it can be effectively used by employees and properly drains into the
108 stormwater management system. He added, this is something the applicant would do
109 after receiving the permits and approval.

110 Member Aspnes concurred that putting the parking lot as far east as possible seems to be
111 the best to keep it away from the remaining properties that are going to be there on the
112 west.

113 Chair Kimble asked if the applicant was at the meeting. It was noted the applicant was
114 online.

115 Mr. Scott Pieper, CEO of the AUNI Holdings addressed the Commission. He stated
116 regarding the increase in parking spaces, when he had the engineer look at the plans, they
117 were originally shooting for a two hundred number and visiting with the FedEx people
118 they do not know for sure what the minimum or maximum could be so the question was
119 raised back to him about what would be the most that could be put there that would be
120 approved. He had the engineer use the setbacks shown in the drawing and developed a
121 plan using the square footage accordingly. He noted it does not need to remain that
122 number but is the directive he received from FedEx.

123 Mr. Pieper explained there is handicap parking outside on the north end with new
124 sidewalks in place there, as well as there are thirty-five spots inside the building, which
125 he believed six of those are handicapped. The parking lot would be in compliance with
126 whatever is needed. He did not believe in their mind that the parking lot would need to

127 be handicap accessible for this project. That does not mean that it does not have to be to
128 meet Code.

129 Chair Kimble asked if there is any ability to push the parking lot further to the east.

130 Mr. Pieper thought the idea here for him is to show what the intent could possibly be and
131 to find out the City's position on it so that they could actually move forward with a
132 project which would be getting a civil engineer involved to find out what it is actually
133 going to entail. That all has to be worked out to see if it would be feasible from an
134 economic standpoint as well.

135 Member McGehee recalled light consideration was important and she really appreciates
136 the forty-foot buffer and preservation of trees, but thinking of the one residential home
137 that is to the west, she wondered when grading is being considered if that actually has to
138 be dropped at all, that would be better because there are the slots in the parking lot
139 coming in so the headlights from coming and going would be facing that property. If
140 these were facing the property it would not be a problem but if they must come in at a
141 level lower than the lot next door so it would glean the light from the resident.

142 Mr. Pieper understood Member McGehee's concerns and explained that maybe this is a
143 scenario where the north/south lanes have to be pushed over to the west a shade and
144 taking a couple off one way or another and adding a third row that would point to the east
145 so the lights would be shining out into the parking lot.

146 Member Bjorum explained discussion last meeting there was conversation about whether
147 the lot or lots were going to be secured with gates and fencing and he wondered if that
148 has been removed because this is just employee parking or are there still going to be
149 gated entry points and fencing around the lot.

150 Mr. Pieper explained typically with what he has seen with the FedEx Corporation is
151 typically their parking lots are always fenced. He thought this might be the exception but
152 he thought their rules are pretty hard and fast about how they like to maintain their
153 employees property.

154 Mr. Pieper explained regarding the steep bank and the potential sidewalk going down, the
155 way the building is set up you cannot get in the building unless a person goes through
156 security which is all on the north end of the building. As this berm goes to the north it
157 starts tapering down significantly and his guess is once a civil engineer is involved the
158 sidewalk will more than likely go down the berm to the north and gradually tapering
159 down because that is where the employee enters the building.

160 Chair Kimble noted the Commission received a bench handout, written communication
161 from Mr. Donald Broman, member on the ownership committee for the Aquarius
162 Apartments next door.

163 **Public Comment**

164 Mr. Frank Yaquinto, 2405 West County Road C2. He gave the Commission a handout.
165 He explained he was concerned about how many shifts there will be because the lights
166 from vehicles could be shining in his windows all the time. He was also concerned with
167 the traffic impact on County Road C2 as well as the number of trips coming and going
168 daily. There is no indication of any of this. He noted this is in direct conflict of the 2040
169 Comprehensive Plan, specifically Chapter 5 as it relates to protecting existing legally

170 established single family homes. He was also concerned about possible drop in his
171 property value and he would like a letter from the Roseville City Attorney stating this
172 will not negatively affect his property value. He was also concerned about possible
173 emissions from the vehicles would affect the air quality in the area. He wondered if
174 anyone has compared the applications and did the Planning Commission meet to discuss
175 the significant change in the number of parking spaces. He requested the Roseville City
176 Attorney give him a written opinion on this parking change and that the City of Roseville
177 has applied to all State Laws governing the due process notification of neighbors. He
178 noted that no one from AUNI Holdings or FedEx has talked to him. He explained under
179 the new zoning, since his home was built, the value of his home will be that of the land
180 only and he wondered who would buy a single family home that has been zoned out by
181 Conditional Use granted to an International Corporation, FedEx. Those uses that would
182 apply to his lot are unachievable. He indicated if he demolished his house he would not
183 meet the current zoning setbacks, parking, etc. for any of the uses because his lot is too
184 small. He noted Mr. Paschke is not requiring a light plan and if approved this lot will be
185 lit up like Rosedale. He indicated Mr. Paschke does not think these effects his quality of
186 life. He explained as a taxpaying citizen of the City he would offer his home for sale to
187 the City after the City Attorney renders his opinion as well as an independent appraiser.
188 If approved the City's sanctions will significantly alter his way of life. He noted he is a
189 Vietnam Era Veteran with disabilities.

190 Chair Kimble asked if any of the items mentioned were discussed at the last meeting.

191 Member McGehee thought there was discussion on the need for a berm but she did not
192 think there was discussion regarding the decrease in value of surrounding property
193 because this is the only remaining single family dwelling left. She understood from Mr.
194 Pieper that there will be some effort to screen headlights within the parking lot.

195 Member Pribyl thought there will be screening required so some of that could be
196 potentially fencing, if the grade does not allow for blocking the headlights.

197 Mr. Paschke stated he believes the staff report does provide information about a number
198 of items of concern needing to comply with City Code. Because there are residential
199 properties adjacent to this site this development is required to provide a buffer area screen
200 that includes a specific setback and that the proposal is greater than that that requirement
201 (10 feet). The Code also requires an opaque screen, whether that be landscape, wall or
202 fencing. As part of staff's review of a formal plan submittal he would review the
203 proposal based on all of the engineering that occurs and its design to determine where all
204 the screening is necessary in order to screen the adjacent properties. Parking lot lighting
205 is also a requirement and staff's goal here is no different than any project that has
206 required parking lot lighting, to work with those people designing it to have the least
207 impact on the adjacent properties. This project has a number of things that are not shown
208 on the proposed plan that are required by City Code.

209 Chair Kimble asked if it would be the intent of staff, if this were to be approved, to keep
210 the property owners aware of what is happening and updated throughout the process.

211 Mr. Paschke indicated it was his intent to do that.

212 Member Bjorum explained regarding the number of spaces in the parking lot, the
213 Conditional Use does not provide a dictated number for that. The only maximizing or

214 minimizing of that lot is based on whatever the required setbacks are or anything along
215 those lines.

216 Mr. Paschke indicated Commissioner Bjorum’s assessment is correct as it relates to a
217 parking lot as a principal use.

218 Member Bjorum asked if the City does not have control over the size of the parking lot, it
219 is really for the Conditional Use, if the use meetings the requirements of the lot.

220 Mr. Paschke stated that is not necessarily true. He indicated that if the Planning
221 Commission felt that they did not want to have a parking lot that had more than the
222 number of parking stalls shown the Conditional Use could state a maximum parking of
223 243 parking stalls or less, then the applicant is locked into that number as the maximum
224 number of stalls that they can place within the area. He believed the Planning
225 Commission could also add a condition that stipulates a minimum setback from the
226 adjacent residential property lines, whether it is the forty shown on the plans or greater,
227 then this condition would need to be met by applicant and worked through in order to
228 design the parking lot. There are things that the Planning Commission has within its
229 purview because they are germane to the request and they do potentially pose impact to
230 the adjacent properties.

231 Member Kruzel asked if staff knew how many shifts there might be.

232 Mr. Paschke indicated he did not know how many shifts FedEx was looking to run. He
233 further stated when staff reviewed this proposal it reviewed this project against those
234 impacts that could be just as great if some other uses were developed on this property,
235 which the City cannot control. From that standpoint, there is nothing in the Code that
236 limits a business having more than one shift, or limiting hours of operation, which in turn
237 could create additional traffic movements and more vehicles on the road. He further
238 stated staff reviewed this application as a parking lot with 243 parking spaces because
239 there is nothing in the Code to direct otherwise.

240 Member McGehee asked what Mr. Paschke knew about parking lot lighting.

241 Mr. Paschke explained there are some areas within Roseville where staff has worked with
242 the developers or property owners to install lower lights to provide the necessary lighting
243 and safety. There are also ways to put shields on the back of the lights, which has been
244 fairly common in some of the City’s adjacent residential projects. There is also fencing
245 and other things that can be put in to also assist in mitigating the lighting to some degree.

246 Staff discussed with the Commission potential impacts to adjacent properties.

247 Mr. Don Broman, Aquarius Apartments, explained the property line is incorrect in the
248 drawing because it is going through their parking lot. He indicated everything he has
249 seen since 1970 shows the line six feet off of the parking lot. He explained his letter
250 dated January 25, 2023 indicates he is in favor of a forty foot setback and he would love
251 to have the development built so the natural trees remain. He noted there are one
252 hundred residential units in the building and felt this was a good compromise. He agreed
253 it was kind of difficult to spend the money on a site survey if you do not have the money.
254 To him, a forty foot setback is adequate because it would leave the woods between the
255 properties intact and all those residents that walk by there would not be looking at a
256 parking lot with 243 cars in it. The thing that he has a concern with is he talked last

257 month about a berm going along their driveway with landscaping and plants. He showed
258 a photo of the area and indicated the area is a low area where the pond is going in and
259 Aquarius Apartments spent a lot of money to try to mitigate the moisture that is already
260 coming off the adjacent lot and coming down the east side of the their building to get the
261 drainage down. He would like to make sure that the proposed ponding does not create
262 water issues on their property.

263 Mr. Broman read his letter to the Commission for the record.

264 Mr. Broman thought the applicant needed to look at where the sidewalk is placed as well
265 as where the employees would be walking to get into the building. He explained he
266 would like to have assurance from the City Planners that the water from this property is
267 not going to flow to their property and cause additional drainage issues. He noted the
268 residents would still like to see an opaque fence as well as a light study done. He would
269 also like to have safety reviewed.

270 Chair Kimble closed the public hearing at 7:40 p.m.

271 **Commission Deliberation**

272 Mr. Paschke reviewed the drainage requirements on a parcel during development.

273 Member McGehee suggested a requirement for the number of parking stalls.

274 Member Bjorum agreed and thought the previous proposal of 183 parking stalls was
275 adequate and could be a requirement.

276 Chair Kimble indicated this item has been discussed at two meetings with a lot of
277 discussion and she wondered if someone would like to make a motion with any
278 recommendations or conditions.

279 Member Aspnes indicated she would like to make a couple of suggestions but not as a
280 motion. She agreed it was a good idea to cap the number of stalls in this parking lot so
281 that it does not end up taking the absolute maximum amount of impervious surface that is
282 allowed considering the grade of this lot, the wetlands, the neighbors to the north and
283 west that will still be there. She also thought it was a good idea to make a condition of
284 approval the setbacks be the forty on the west and north, at least that at minimum and that
285 there should be a condition to save as many large trees as possible on the site along the
286 lot lines especially. She also wanted to ensure that the lights are not an issue and that the
287 City can do what it can to mitigate the light coming from the property.

288 Mr. Paschke reviewed with the Commission the lighting requirements and noted as far as
289 the trees, he agreed with the Commission but the City does not have a requirement to
290 preserve any trees and it becomes very difficult to stop a development from removing
291 trees.

292 Mr. Paschke reviewed potential conditions to the motion with the Commission including
293 a maximum number of parking stalls, minimum setback of forty feet to the north and
294 west as well as additional compliance with tree preservation and lighting conditions.

295 Chair Kimble explained two of the conditions are compliant with City Code which they
296 have to comply with so why these would be conditions. She thought there are two
297 conditions, the cap on stalls and the forty foot minimum requirement on the two and all

298 the conditions staff lists, she did not know what else there is because the process is going
299 to drive the rest of it.

300 Member Pribyl thought maybe there could be a condition that parking stalls do not face
301 immediately to the west.

302 Member Aspnes wondered if it could be worded that the parking lot design has cars not
303 pointing west.

304 Ms. Gundlach reviewed the changes to the conditions in the staff report clarifying
305 condition 5 to include compliance with section 1011.04, tree preservation and restoration;
306 adding a seventh condition that states “the total number of stalls shall not exceed 220 and
307 no stall shall be directed towards the property to the west”; and she also explained a new
308 condition eight would also be added stating “parking lot setbacks to the north and west
309 shall be a minimum of forty feet”.

310 **MOTION**

311 **Member McGehee moved, seconded by Member Bjorum, to recommend to the City**
312 **Council approval of a Conditional Use for 2373 & 2395 County Road C2, allowing**
313 **surface parking as a principle use on the subject properties based on the comments,**
314 **findings, and six conditions stated in this report, adding conditions 7 and 8 as**
315 **discussed. (PF22-015).**

316
317 **Ayes: 7**

318 **Nays: 0**

319 **Motion carried.**

320

321 **7. Adjourn**

322

323 **MOTION**

324 **Member Pribyl, seconded by Member Aspness, to adjourn the meeting at 7:59**
325 **p.m.**

326

327 **Ayes: 7**

328 **Nays: 0**

329 **Motion carried.**

330

331


REQUEST FOR COMMISSION ACTION

Date: **4/5/2023**
Item No.: **5.a.**

Department Approval

Agenda Section

Communications and Recognitions

Item Description: Update on City Council action on phase two Zoning Code updates

1
2 **Application Information**

3 Not applicable

4
5 **Background**

6 Following a joint meeting with the City Council on January 31, 2022, the Planning Commission
7 commenced work on the second phase of updates to the Zoning Code. This phase of updates
8 focused on sustainability. On December 7, 2022, the Planning Commission forwarded a
9 recommendation to approve amendments to five areas of the Zoning Code. The City Council
10 discussed these amendments on January 30, 2023, March 6, 2023, and March 20, 2023, adopting the
11 Zoning Code amendments on March 20, 2023. The City Council's action consisted of the following:

- 12 • Shoreland Overlay District: Approved the repeal of Chapter 1017 and replaced into Chapter
13 1012. Minor language revisions were requested to clarify intent. No substantive revisions
14 were made to the Planning Commission's recommendation.
- 15 • Electric vehicle charging standards: Approved new language to Zoning Code Section
16 1019.04 (Parking & Loading chapter). Language revisions were requested to clarify
17 intent. No substantive revisions were made to the Planning Commission's recommendation.
- 18 • New & revised definitions: Approved revisions to Section 1001.10 (Introduction chapter)
19 consistent with the Planning Commission's recommendation.
- 20 • Revised landscaping standards: Approved revisions to Section 1011.03 (Property
21 Performance Standards chapter) consistent with the Planning Commission's
22 recommendation. Minor language revisions were requested to clarify what was meant by
23 "open space" in terms of the new tree requirement for multi-family development.
- 24 • Creation of sustainability incentives: The City Council opted to remove these amendments
25 in their entirety, having concerns surrounding the actual incentives offered and how they
26 might affect development given existing Zoning Code allowances.

27
28
29 **Staff Recommendation**

30 Receive update

31
32 **Requested Planning Commission Action**

33 None

34
35 **Alternative Actions**

36 None

37

Prepared by: Janice Gundlach

Attachments: None

38


REQUEST FOR COMMISSION ACTION

Date: **4/5/2023**
Item No.: **7.a.**

Department Approval

Agenda Section

Business

Item Description: Annual Organizational Business

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

Application Information

Not applicable.

Background

In accordance with City Code Section 201.04.B, every appointed member shall take an oath stating that he or she will faithfully discharge the duties of the commission. Additionally, Section 201.06, states that each advisory commission shall elect a chair and vice-chair from among its appointed members for a term of one-year, as well as appoint a member to serve on the Ethics Commission. The Planning Commission shall also appoint 3 members, and one alternate, to serve on the Variance Board.

Staff Recommendation

The chair shall swear in New Commissioner Matthew Bauer, then appoint members to serve as chair and vice-chair of the Planning Commission, appoint one member to serve on the Ethics Commission, and appoint three members and one alternate to the Variance Board.

Requested Planning Commission Action

The chair shall swear in New Commissioner Matthew Bauer, then by motion, appoint a chair and vice-chair to the Planning Commission, appoint one member to serve on the Ethics Commission, and appoint three members and one alternate to the Variance Board.

Alternative Actions

None.

Prepared by: Thomas Paschke

Attachments: None